

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

NAPOLEON JUNIOR RANKIN,)
)
 Petitioner,)
)
 v.) 1:16CV183
)
JAMES MCRAE,)
)
 Respondent.)

ORDER

On February 3, 2017, the United States Magistrate Judge's Recommendation was filed and notice was served on Petitioner pursuant to 28 U.S.C. § 636. Petitioner filed objections (Doc. 18) to the Recommendation within the time limit prescribed by Section 636.

The court has reviewed Petitioner's objections *de novo* and finds they do not change the substance of the United States Magistrate Judge's Recommendation (Doc. 16), which is affirmed and adopted.

IT IS THEREFORE ORDERED that Respondent's Motion for Summary Judgment (Doc. 6) is GRANTED, the Petition (Doc. 1) is DENIED, and this action is DISMISSED. Finding neither a substantial issue for appeal concerning the denial of a constitutional right affecting the conviction nor a debatable procedural ruling, a certificate of appealability is DENIED.

 /s/ Thomas D. Schroeder
United States District Judge

March 14, 2017